

Introduced by Senator TorlaksonFebruary 21, 2003

An act to amend Section 23114 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 675, as introduced, Torlakson. Vehicles: transport of aggregate materials.

Existing law generally prohibits a vehicle from transporting any aggregate material upon a highway unless the material is covered. Drivers leaving certain locations that are exempted from this prohibition are authorized to operate on public roads until they are able to safely cover their load but no further than 200 yards from the point of egress to the public road.

This bill would allow these vehicles to operate not more than 200 yards from the site, rather than the point, of egress to a public roadway.

This bill would also make certain technical, nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23114 of the Vehicle Code is amended
2 to read:
3 23114. (a) ~~No~~ A vehicle ~~shall~~ *may not* be driven or moved on
4 any highway unless the vehicle is so constructed, covered, or
5 loaded as to prevent any of its contents or load other than clear
6 water or feathers from live birds from dropping, sifting, leaking,
7 blowing, spilling, or otherwise escaping from the vehicle.



(b) (1) Aggregate material shall only be carried in the cargo area of a vehicle. The cargo area shall not contain any holes, cracks, or openings through which that material may escape, regardless of the degree to which the vehicle is loaded, except as provided in paragraph (2).

(2) Every vehicle used to transport aggregate materials, regardless of the degree to which the vehicle is loaded, shall be equipped with all of the following:

(A) Properly functioning seals on any openings used to empty the load, including, but not limited to, bottom dump release gates and tailgates.

(B) Splash flaps behind every tire, or set of tires, regardless of position on the truck, truck tractor, or trailer.

(C) Center flaps at a location to the rear of each bottom dump release gate as to trucks or trailers equipped with bottom dump release gates. The center flap may be positioned directly behind the bottom dump release gate and in front of the rear axle of the vehicle, or it may be positioned to the rear of the rear axle in line with the splash flaps required behind the tires. The width of the center flap shall extend not more than one inch from one sidewall to the opposite sidewall of the inside tires and shall extend to within five inches of the pavement surface, and shall be not less than 24 inches from the bottom edge to the top edge of that center flap.

(D) Fenders starting at the splash flap with the leading edge of the fenders extending forward at least six inches beyond the center of the axle which cover the tops of tires not already covered by the truck, truck tractor, or trailer body.

(E) Complete enclosures on all vertical sides of the cargo area, including, but not limited to, tailgates.

(F) Shed boards designed to prevent aggregate materials from being deposited on the vehicle body during top loading.

(c) Vehicles comprised of full rigid enclosures are exempt only from subparagraphs (C) and (F) of paragraph (2) of subdivision (b).

(d) For purposes of this section, “aggregate material” means rock fragments, pebbles, sand, dirt, gravel, cobbles, crushed base, asphalt, and other similar materials.

1 (e) (1) ~~On and after September 1, 1990, in~~ *In* addition to
2 subdivisions (a) and (b), ~~no~~ a vehicle ~~shall~~ *may not* transport any
3 aggregate material upon a highway unless the material is covered.

4 (2) Vehicles transporting loads composed entirely of asphalt
5 material are exempt only from the provisions of this section
6 requiring that loads be covered.

7 (3) Vehicles transporting loads composed entirely of petroleum
8 coke material shall not be required to cover their loads if they are
9 loaded using safety procedures, specialized equipment, and a
10 chemical surfactant designed to prevent materials from blowing,
11 spilling, or otherwise escaping from the vehicle.

12 (4) Vehicles transporting loads of aggregate materials shall not
13 be required to cover their loads if the load, where it contacts the
14 sides, front, and back of the cargo container area, remains six
15 inches from the upper edge of the container area, and if the load
16 does not extend, at its peak, above any part of the upper edge of the
17 cargo container area.

18 ~~(5) The requirements of this subdivision shall become~~
19 ~~operative on September 1, 1990.~~

20 (f) Any person who provides a location for vehicles to be
21 loaded with any aggregate material or any other material shall
22 provide a location for vehicle operators to comply with this section
23 before entering a ~~highway~~ *public roadway*.

24 (1) A person shall be exempt from the requirements of this
25 subdivision if the location that he or she provides for vehicles to
26 be loaded with the materials described in this subdivision has 100
27 yards or less between the scale houses where the trucks carrying
28 aggregate material are weighed and the point of egress to a public
29 ~~road~~ *roadway*.

30 (2) Drivers of vehicles loaded with aggregate material leaving
31 locations exempted from the requirements of this subdivision are
32 authorized to operate on public roads only until they are able to
33 safely cover the load at a site near the location's point of egress to
34 the public ~~road~~ *roadway*, however, an uncovered vehicle shall not
35 be operated more than 200 yards from the ~~point~~ *site* of egress to
36 the public ~~road~~ *roadway*.